

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of

Jeffrey A. Heroux, et al

Serial No. 09/023,483

Filed: February 13, 1998

For: ASSAY METHODS FOR NUCLEIC ACID IN A
SAMPLE

Atty. Ref.: 2528-2

Group: 1656

Examiner: J. Tung

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September 8, 2000

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT AFTER FINAL REJECTION

Responsive to the Official Action dated March 8, 2000 (for which a first month for extension having been requested and paid for with the filing of a Notice of Appeal on July 10, 2000), kindly amend the above-identified application as follows:

IN THE CLAIMS

1. (Twice Amended) A method for [the detection and/or quantitation of] measuring total nucleic acid in a sample, which comprises:

- a) mixing at least one random primer at least 4 nucleotides in length, having at least one detectable species with a sample nucleic acid,
- b) adding at least one nucleotide triphosphate having at least one binding species and optionally at least one second nucleotide triphosphate,